IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

TUESDAY, THE 19TH JUNE 2007 / 29TH JYAISHTA 1929

Bail Appl..No. 3671 of 2007()

CRMP.2197/2007 of J.M.F.C.-I,PATHANAMTHITTA
C.R.NO.59/06 OF PATHANAMTHITTA EXCISE RANGE.

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PETITIONER/2ND ACCUSED

PRASANNAN, S/O.RAGHAVAN, KIZHAKKEKKARA VEEDU, KARAMVELI MURI, MOLLAPPUZHASSERRY, KOZHENCHERRY.

BY ADV. SRI.V.PHILIP MATHEW

RESPONDENTS: STATE

STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SRI. JAI GEORGE.

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 19/06/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R. BASANT, J.

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B.A.No. 3671 of 2007

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Dated this the 19th day of June, 2007

O R D E R

Application for regular bail. The petitioner faces allegations under the Kerala Abkari Act in that he was allegedly found to be in possession of 7 litres of arrack on 27.12.2006. The petitioner could be arrested only on 18.4.2007 in connection with another crime. The petitioner is involved in two other crimes also, it is submitted. Final report/charge sheet has not been filed yet.

2. It is unnecessary to go into the facts in detail or the play of Section 41A of the Kerala Abkari Act. The petitioner is entitled for bail for default in as much as the charge sheet has not been filed within a period of 60 days. I am satisfied that this is a fit case where the petitioner can now be enlarged on bail subject to appropriate terms and conditions.

3. In the result:

1) This application is allowed.

2) The petitioner shall be released on bail on the following terms and conditions.

(a) He shall execute a bond for Rs.50,000/- (Rupees fifty thousand only) with two solvent sureties each for the like sum to be satisfaction of the learned Magistrate.

(b) He shall make himself available for interrogation before the Investigating Officer between 10 a.m. and 12 noon on all Mondays and Fridays until the final report is filed.

(R. BASANT)
Judge

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